

CITY OF MILPITAS
COMMUNITY ADVISORY COMMISSION
MILPITAS CITY HALL COMMITTEE MEETING ROOM
APPROVED MINUTES
January 5, 2005

**I.
Call to Order
and Roll Call**

Chair Iloreta called the meeting to order at 7:00 p.m. Present were Commissioners Abelardo, Lee, Luna, Mandal, Mohsin, Pham (7:08 pm), and Ranker. Alternates present were Commissioners Fang, Lind. Absent: Commissioners Cook and Queenan.

**II.
Seating of
Alternates**

Alternates seated: Fang and Lind

**III.
Pledge of
Allegiance**

Chair Iloreta led the Pledge of Allegiance.

**IV.
Approval of
Agenda**

MOTION to approve the Agenda as submitted

M/S: Linda, Luna

Ayes: 9

**V.
Approval of
Minutes**

MOTION to approve the minutes of December 2, 2004 with a correction on City Council report should state appoint new Council liaisons.

M/S: Lind, Mohsin

Ayes: 9

**VI.
Announcements**

Staff announced the training workshop on Saturday, February 26, 2005 at 9:00 am. The Sign, NBO, and Zoning ordinance was presented to City Council. City Council decided to have staff re-evaluate. The Commissioner's Recognition Dinner will be held on Wednesday, April 20, 2005 at the Embassy Suites.

**VII.
Citizens' Forum**

Chair Iloreta invited members of the audience to address the Commission on any item not on the agenda. There were no requests.

**VIII.
Liaison Reports**

a. City Council

Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. The City received an award for their finances and budget report. A subcommittee of the City Council was formed to make recommendations to the City Council on who the Mayor should appoint to various committees. City Council will have a new open government ordinance drafted. City Council appointed Charles Lawson as Acting City Manager and Acting Police Chief is Thomas Nishisaka.

IX.
New Business

a. Election of Officers.

Commissioner Ranker nominated Chair Iloreta as Chairperson. Chair Iloreta declined. Commissioner Mandal nominated Commissioner Ranker as Chairperson. Commissioner Ranker accepted.

MOTION to nominate Commissioner Ranker as Chairperson.

M/S: Mandal, Fang Ayes: 9

Commissioner Mandal nominated Vice-Chair Mohsin as Vice-Chair. There were no other nominations.

MOTION to nominate Vice-Chair Mohsin as Vice-Chair.

M/S: Mandal, Lind Ayes: 9

b. Ethics Project Update.

Staff stated that January 11, 2005 was suggested by staff to conduct the final Council training, the Council tabled discussion of this item until the January 18, 2005 meeting. Staff served on the national COGEL Conference in San Francisco. Staff received feedback from other Cities. Most cities are not community driven. The City Clerk has received six ethics complaints. Three were rejected and three have been heard.

Chair Ranker asked about the lobbyist registry ordinance. The lobbyist registry ordinance was agendaized for Council review on December 21, 2004, but the public hearing and action were postponed to the January 18th meeting.

Staff asked if the Commission agreed on the format of the final survey. The commission read changes that are needed. A draft of the final survey went to City Council on December 21, 2004. The proposed circulation method is an insert in the Milpitas Post and via the city's website. Council tabled this item to the January 18, 2005 Council meeting.

MOTION to approve lobbyist registry ordinance with the recommended changes.

M/S: Lind, Iloreta Ayes: 9

c. Non-denominational invocations at City Council meetings.

Staff stated at the December 21, 2004 City Council meeting, the Council directed that the CAC add to its short-term work plan the potential of having a short non-denominational prayer prior to the start of City Council meetings and to solicit feedback from the community, look at policies in other cities, and report back to the Council. Council member Polanski suggested staff to look at other cities policies and bring additional information back to the CAC at a future meeting (April or May).

d. Subcommittee/Task Force Status Reports.

Neighborhood Preservation (Lee, Mohsin, Queenan, and Luna)
No update at this time.

50th Year Anniversary (Mohsin, Mandal and Lind)
The next meeting will be held on January 6, 2005 to discuss the time capsule.

Ethics (Abelardo, Lind, and Ranker)

Report was given with project update earlier on agenda.

Tree Decorating Celebration (Pham, Cook and Abelardo)

Commissioner Pham stated it was a nice turn out with great weather.

X.

Adjournment

Chair Ranker adjourned the meeting at 9:00 p.m. to the February 2, 2005 meeting.

Respectfully submitted,

Yvonne Andrade, Recording Secretary

CITY OF MILPITAS
COMMUNITY ADVISORY COMMISSION
MILPITAS CITY HALL COMMITTEE MEETING ROOM
APPROVED MINUTES
February 2, 2005

**I.
Call to Order
and Roll Call**

Chair Ranker called the meeting to order at 7:00 p.m. Present were Commissioners Iloreta, Lee, Luna, Mandal, Mohsin
Alternates present were Commissioners Fang, Lind, and Queenan
Absent: Commissioners Abelardo, Cook and Pham

**II.
Seating of
Alternates**

Alternates seated: Fang and Lind

**III.
Pledge of
Allegiance**

Vice-Chair Mohsin led the Pledge of Allegiance.

**IV.
Approval of
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Lind, Iloreta

Ayes: 7

**V.
Approval of
Minutes**

MOTION to approve the minutes of January 5, 2005 with the correction on Item IV change Linda to Lind. Page 2b. – Ethics Project Update “Most cities are not community driven”. This statement should read “Most cities Ethics Programs are not community driven”.

M/S: Lind, Mohsin

Ayes: 7

**VI.
Announcements**

Staff announced that Form 700 needed to be filled out and returned to the City Clerk’s office by April 1, 2005. Staff provided copies of the minutes from the City Council December 21, 2004 meeting regarding invocations at Council meetings. Next month the CAC meeting will be fairly long meeting due to the CDBG prioritization and the Ethics final report. The CAC decided to begin the March 2nd CAC meeting at 6:30 pm.

Commissioner Lind announced that the Milpitas Unified School District is putting forth Measure A, parcel tax. The funds generated will go directly to benefit the students of Milpitas Unified School District. It will be directed for class size reduction.

Chair Ranker received a letter addressed to Mayor Esteves regarding the resignation of CAC Commissioner Mandal. He is now a member of the Planning Commission effective immediately.

VII.
Citizens' Forum

Chair Ranker invited members of the audience to address the Commission on any item not on the agenda.

Rob Means – 1421 Yellowstone – He felt that the purpose of the Ethics process was to diminish the amount of negative campaigning going on, to get more involvement from the community in the election, and to have more useful information available to the voters. He feels his experience in the past election was that he did not get more useful information. He feels there might be better alternatives that could produce better results. He distributed a flyer to the Commission regarding more information from the web that could be useful.

VIII.
Liaison Reports

a. City Council

Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. She stated that 6 items were tabled to the next meeting of February 15th including updating the City Council handbook. The open government ordinance was delayed to the next meeting. Councilmember Polanski stated that also appointed to the Planning Commission were Cliff Williams and Norm Acevedo. There was discussion on a parking garage across the street from the Library with a banquet facility on top. The Council felt that looking at a banquet facility on top was not in the best interest of the City but could move forward at looking at a parking garage and retail at the bottom. There was discussion on budget adjustments. City Clerk, Gail Blalock, announced her retirement.

IX.
Presentation of Certificate of Appreciation to former CAC Chair, Arsenio Iloreta.

Chair Ranker presented former Chair Iloreta with a certificate of appreciation for his outstanding job as chair during the past year. Commissioner Iloreta thanked the Commission for their hard work and contributions.

X.
New Business

a. Naming of City Library.

Staff stated that on October 5, 2004, the City Council directed all Commissions consider the Council Facilities Naming Subcommittee's recommendations to honor Dr. Martin Luther King, Jr., and Cesar Chavez by naming the library after one of them and make recommendations to the City Council on the name of the library.

Commissioner Mohsin asked if the CAC is to name the library after one of them. Councilmember Polanski stated that the subcommittee is recommending naming the library after Dr. Martin Luther King and honoring Cesar Chavez in another way. The Council did an actual resolution but it is basically getting input and recommendation from this Commission.

Commissioner Lind feels naming the library after Martin Luther King or Cesar Chavez is ridiculous and should not be named after anyone. She feels it should be named the Milpitas Library. There is a Martin Luther King library in downtown San Jose.

Councilmember Polanski also stated that there was a recommendation to name rooms within the new library after different individuals who have made a contribution to the City.

Commissioner Iloreta asked the direction from the City Council. Councilmember Polanski stated there was going to be public hearing and she pulled it from the November meeting because she felt it wasn't appropriate to have the public hearing on election night. She wanted to get as much input from the community as possible as well as from the different Commissions and get recommendations from all the Commissions on what they would like to see the library named.

MOTION to name the new library The Milpitas Library and that community rooms be named in honor of our founding Milpitas families.

M/S: Lind, Luna

Ayes: 7

b. Ethics Project Update.

Staff stated there were 3 aspects that had been taken to the Council back in December that were tabled for 30 days and were finally heard on January 18th. Setting a date for the final training for the Council members, the draft lobbyist registry ordinance, and the draft of the final survey. All the motions on these three items failed. There will be no training. Dr Shanks' final report will just incorporate feedback that he has received from the post election assessment meeting and other informal communication rather than the survey instrument. Council extended the deadline for the final survey and expiration for Dr. Shank's contract two weeks to February 15, 2005.

c. Non-denominational invocations at City Council meetings.

Staff stated that the City Council at their December 21, 2004 meeting considered having non-denominational invocations at City Council meetings. Council directed CAC add this item to their short-term work plan and investigate the potential of having short non-denominational prayer prior to the start of the Council meetings and provide feedback from the community and look at the policies of other cities and report back to Council. Staff contacted other cities in the county and neighboring Fremont and reported that the cities of Gilroy, Morgan Hill, San Jose, and Santa Clara do have invocations. The cities of Campbell, Cupertino, Fremont, Mountain View, Palo Alto, Los Altos, Los Altos Hills, Saratoga and Sunnyvale do not have invocations. The city of Gilroy invites pastors to give invocations and must conform to the requirements of the city. Morgan Hill has a silent invocation by the Mayor at the beginning of their City Council meeting. In the city of San Jose, each Councilmember is responsible for invocations for a month. San Jose has no policy on the content of the invocation.

Chair Ranker asked if there should be a subcommittee and the time span on this item. Staff stated the intention is not to have a lengthy survey and to have a quick turn around. Commissioner Lind stated there should not be an invocation and Chair Ranker agreed. He feels there is a lot of work involved and some risks in involved as well and he thinks it is not necessary to fix a problem that does not exist. Commissioner Queenan also agrees.

Commissioner Lee suggested following Morgan Hill by having a silent invocation. Commissioner Lind stated it is still an issue it is an invocation. Commissioner Iloreta asked if it could be revised. Commissioner Lee stated that it would be a minute of silence. Commissioner Lind disagreed. Staff stated that if the Commission reported back to the Council that they did not support this issue, Council would not be satisfied. Staff suggested having a one question survey and send it to the other Commissions and see what feedback they get back and report back to the CAC in a month or two.

MOTION to have staff get feedback from the other Commissions and report back to the CAC.

M/S: Mohsin, Ranker

Ayes: 6

Noes: 1 (Lind)

d. Subcommittee/Task Force Status Reports.

Neighborhood Preservation (Lee, Mohsin, Queenan, and Luna)

The subcommittee did a survey in the Manor area on January 16th on several issues. They also received feedback from BFI on street sweeping. They were generally concerned about vehicle speeding, tree trimming and City maintenance.

50th Year Anniversary (Mohsin, Mandal and Lind)

No report was made. The CAC decided to eliminate this subcommittee. Commissioner Mohsin thanked Councilmember Polanski for all her hard work on this item.

Ethics (Abelardo, Lind, and Ranker)

Report was given with project update earlier on agenda.

Tree Decorating Celebration (Pham, Cook and Abelardo)

No report was made.

XI.

Adjournment

Chair Ranker adjourned the meeting at 8:44 p.m. to the March 2, 2005 meeting.

Respectfully submitted,

Yvonne Andrade, Recording Secretary

CITY OF MILPITAS
COMMUNITY ADVISORY COMMISSION
MILPITAS CITY HALL COMMITTEE MEETING ROOM
APPROVED MINUTES
March 2, 2005

**I.
Call to Order
and Roll Call**

Chair Ranker called the meeting to order at 6:30 p.m. Present were Commissioners Mohsin, Lloreta and Luna
Alternates present were Commissioners Lind, Fang and Queenan
Absent: Commissioners Cook and Pham
Late: Commissioner Abelardo and Lee

**II.
Seating of
Alternates**

Alternate seated: Lind, Fang and Queenan

**III.
Pledge of
Allegiance**

Chair Ranker led the Pledge of Allegiance.

**IV.
Approval of
Agenda**

Commissioner Lind suggested that the 50th Anniversary status report be removed as a standing item from the agenda.
MOTION to approve the Agenda as submitted.

M/S: Lind, Luna

Ayes: 7

**V.
Approval of
Minutes**

MOTION to approve the minutes of February 2, 2005 with the correction as stated: Commissioner Lind noted on page 3, 1st sentence, take out the word is and Under Subcommittee/Task Force Status Reports on page 4 under 50th Year Anniversary, changed the sentence to read: Commissioner Mohsin thanked Councilmember Polanski for all her hard work on this item.

M/S: Lind, Luna

Ayes: 7

MOTION to approve the minutes of February 2, 2005

M/S: Mohsin/Luna

Ayes: 7

**VI.
Announcements**

Commissioner Lind noted that on the Directory of Local Officials, her alternative appointment date should be changed to January 2004.

Chair Ranker noted that his e-mail address should be changed to c.ranker@comcast.net.

Senior Planner Dennis Carrington asked the Commissioners to turn in their Forms 700. Mr. Carrington also passed around a draft non-denominational invocation survey and asked the Commissioners to give him their input on the format.

**VII.
Citizens' Forum**

Chair Ranker invited members of the audience to address the Commission on any item not on the agenda. There were no requests.

**VIII.
Liaison Reports**

a. City Council

Councilmember Polanski announced that Commissioner Giordano asked why the non-denominational invocation survey was not on tonight's agenda and Councilmember Polanski informed that it was CDBG night. She stated that seven items on Council agenda were postponed to the March 15th meeting because the Council has a policy to finish meetings by 11 p.m, however, the Council on a 3-2 vote did authorize the City Council subcommittee to make recommendations to the Mayor relative to commission appointments. She felt it was against state statute, however, the city attorney disagrees. Also, on a 3-2 vote, the second reading of the open government ordinance will take place on March 15th and will be in effect 30 days after. She agreed the ordinance had a lot of good things but the City council members serving as volunteers as either police reservists or senior volunteers program was eliminated with the vote last night and the lobbyist section wasn't as strong as what the CAC recommended. The Council reviewed the Transit Subarea plan and that will go forward at the March 23rd Planning Commission meeting and will go to Council in April coming. Also, Councilmember Giordano had questioned the applicability of the Brown Act at the Terrace Gardens association Board of Directors meeting. There was a legal opinion from the City Attorney and a 3-2 vote, the Council determined that Terrace Gardens had been violating the Brown Act and fired all of the board directors. Also, the Gateway Sign Pilot project was approved and three items were postponed to the next meeting.

**IX.
New Business**

a. Ethics Project Update

Staff noted that Dr. Shanks added an executive summary, table of contents and made clarifications to his recommendations for the final report. Staff summarized Dr. Shank's recommendations and asked that the CAC recommend approval of the final report with the changes.

Dr. Shank's recommendations are as follows:

1. Extend the time the Council spends sharing its decision reasoning with citizens, utilizing the pocket card.
2. Hold an additional training session for the Commissioners who did not attend one of the training sessions and gain signatures from 100% of the Council, Commissioners and senior staff who have not signed the Code of Ethics.
3. Take advantage of the Ethics Consultant's pro bono offer to design and/or facilitate the next two Council meeting moments of reflection.
4. Direct the City Attorney to add language to the new Open Government Ordinance to strengthen the lobbyist section.
5. Establish a permanent oversight committee to guide the Ethics Program. The committee should be comprised of six Community Advisory Commission members and three staff members – the Director of Planning and Neighborhood Services, the Human Resources Director and the Information Technology Director. Further, the Program should be resumed this current year.
6. Give the Lead Ethics Evaluator staff support, besides the current assistance from the City Clerk, such as from the Assistant City Attorney, to attend the ethics hearings and assemble non-partisan background pieces and statements of fact. Empower and remunerate the Lead Evaluator to work with parties involved in a

complaint to see if a fair resolution can be reached without having to conduct a hearing.

7. Adopt the Ethics Project Final Report and activities recommended for 2005 and 2006 related to the three goals presented to the Council last summer.

Staff clarified that the Steering Committee reviewed the report and asked that specific members not be mentioned. They were also concerned about the cost estimates on page 27 for the year 2005-2006 and felt that \$15,000 dollars would not be enough for that goal. Staff asked that the CAC approve the report with the five pages and make a recommendation that future Steering Committee members be appointed by the City Manager.

Mayor Jose Esteves thanked everyone for supporting the CAC and asked the members to look closely at the recommendations and make sure it happens because ethics should not go away.

MOTION to approve the Ethics Final Report.

M/S: Lind, Lloreta

Ayes: 9

a. Review of Community Development Block Grant (CDBG) Program Applications for FY 2005-06.

Senior Housing and Neighborhood Preservation Specialist Gloria Anaya outlined the Community Development Block Grant (CDBG) Program, explaining that the City received a total of 28 applications for funding. The City of Milpitas expects to receive \$670,852 (\$40,148 less than current FY) of CDBG funds for FY 2005-06 from the Department of Housing and Urban Development (HUD).

Per Federal regulations, a maximum of 15% of the grant or \$100,627 is available to fund the Public Services category. 20% of the grant or \$134,170 is set-aside for General Program Administration. The remaining 65% or \$436,055 is available to fund the Non-Public Services. The application booklets distributed to the CAC early this month included staff's funding recommendations, copies are available for the audience. Included in the Commission's agenda packet is a schedule of presentations. All applicants have been informed of tonight's public hearing and have been encouraged to attend.

Ms. Anaya explained that each applicant would be allowed three minutes for presentations, and two minutes for questions from the Commission; after the public hearing was closed, the Commissioners would be asked to allocate the available funds via the ballot process; and a recess is taken while staff enters each Commissioner's ballot allocation into a spreadsheet which would be totaled and averaged for final discussion and recommendation. The minimum funding level that was established by the CAC and City Council is \$5,000. Ms. Anaya asked that ballot allocations be at \$5,000 or above. Therefore, any of the programs that average less than \$5,000 would need to be redistributed to other organizations. Ms. Anaya asked the Commission to make sure that the total funding amounts do not exceed the available funding for each category.

The recording secretary asked each Commissioner individually if they were currently receiving compensation from any of the application agencies and was informed by each and every Commissioner that they were not receiving compensation from any of the applicant agencies however Vice Chair Mohsin abstained because his wife works for the Milpitas Parents School.

MOTION to open the public hearing.

M/S: Ranker, Lind

Ayes: 9

A representative from each of the applicant agencies present, except the Filipino American Opportunity Development, The O Foundation, the Santa Clara Family Health

Foundation and Milpitas Parents Preschool, addressed the Commission with an outline of their agency's functions and how allocated funds would be utilized.

MOTION to close the public hearing.

M/S: Lind, Abelardo

Ayes: 9

Staff entered each Commissioner's ballot figures into the spreadsheet and presented the results to the Commission for discussion.

MOTION to zero out the Filipino American Opportunity Development, the O Foundation, Santa Clara Family Health Foundation, Milpitas Parents Preschool, and the teen nightclub and distribute the dollars to the other agencies to make it more effective for the program.

M/S: Lind, Abelardo

Ayes: 9

MOTION to allocate Public Service CDBG funds as follows and forward to City Council for funding:

Alum Rock Counseling Center	\$5,000
Asian American	\$5,000
Long Term Ombudsman Program	\$5,000
Catholic Charities	\$5,000
Milpitas Rec. Svcs – Afterschool Stay and Play	\$5,700
Milpitas Rec. Svcs – Camp Stay and Play	\$5,000
Milpitas Rec. Svcs – Assist. Program	\$5,000
Emergency Housing Consortium	\$5,000
Filipino Youth Coalition	\$5,000
India Community Center	\$5,000
Live Oak Adult Day Care	\$5,000
Milpitas Food Pantry	\$14,927
Milpitas Unified School District	\$5,000
Next Door Solutions	\$5,000
Project Sentinel	*See Below
Second Harvest Food Bank	\$5,000
Senior Adults Legal Assistance	\$5,000
Support Network for Battered Women	\$5,000
Vietnamese Voluntary Foundation	\$5,000

Total Public Service: \$100,627

***15,000 coming from General Administration**

M/S: Lind, Abelardo

Ayes: 9

MOTION to allocate Non-Public Service CDBG funds as follows and forward to City Council for funding:

City of Milpitas – Interim Senior Center	\$30,000
Economic and Social Opportunities	\$60,000
EHC – Our House	\$25,000
Milpitas Housing Rehabilitation	\$321,055

Total Non-Public Service: \$436,055

M/S: Lind, Abelardo

Ayes: 9

b. Subcommittee/Task Force Status Reports

The Commission noted that there were no updates.

X.

Adjournment

Chair Iloreta adjourned the meeting at 11:00 p.m. to the April 6, 2005 meeting.

Respectfully submitted,

Veronica Rodriguez, Recording Secretary

CITY OF MILPITAS
COMMUNITY ADVISORY COMMISSION
MILPITAS CITY HALL COMMITTEE MEETING ROOM
APPROVED MINUTES
April 6, 2005

**I.
Call to Order
and Roll Call**

Chair Ranker called the meeting to order at 7:00 p.m. Present were Vice Chair Mohsin and Commissioner Pham
Alternates present were Commissioners Lind and Fang
Absent: Commissioners Abelardo, Cook, Iloreta, Lee, Luna, and Queenan

**II.
Seating of
Alternates**

Alternate seated: Lind and Fang

**III.
Pledge of
Allegiance**

Chair Ranker led the Pledge of Allegiance.

**IV.
Approval of
Agenda**

Vice Chair Mohsin noted on page 3, the Arbor Day celebration starts from 10 a.m. to 12:00 p.m.
Chair Ranker placed an emergency item regarding removal of the ethics evaluation panel to see if the Commission is interested in taking a position opposing its removal. He asked that this item be placed after the Subcommittee/Task Force Status Reports.

MOTION to approve the Agenda as submitted.

M/S: Ranker, Fang

Ayes: 5

**V.
Approval of
Minutes**

MOTION to approve the minutes of March 2, 2005 with the correction as stated:
Commissioner Lind noted on page 4, her name should be changed to Lind and under Subcommittee/ Task Force Status Reports, staff took action and noted that there were no updates.

M/S: Mohsin, Lind

Ayes: 5

MOTION to approve the minutes of March 2, 2005

M/S: Mohsin/Lind

Ayes: 5

**VI.
Announcements**

Staff noted that the ethics report item was pulled from the March 15th City Council meeting and will be continued to the April 19th meeting. Staff also reminded about the Commissioner recognition event on April 20th at the Embassy Suites hotel.

**VII.
Citizens' Forum**

Chair Ranker invited members of the audience to address the Commission on any item not on the agenda.

Rob Means, 1421 Yellowstone, representing the Sunnyhills Neighborhood Association, would like to see a crossing over the railroad tracks connecting Yosemite and Curtis. Also, the group is looking for donations for the PRT design and will be hosting a PRT Design Charrette session on Saturday, May 14th at 1 p.m. at the Milpitas Fire Station – 777 S. Main Street.

VIII. Liaison Reports

a. City Council

Councilmember Polanski announced that on a 3 to 2 vote with Vice Mayor Gomez and Councilmember Giordano voting no, the Council supported the library parcel tax to continue with the current parcel tax called Measure A. Measure B to increase the parcel tax failed on a 3 to 2 vote with Mayor Esteves and Councilmember Polanski supporting it. Councilmember Polanski noted that the Mayor's 2005 State of the City Address was a great event with different Commissioner's helping out in the program. Cliff Williams was the MC, Bill Foulk sang the National Anthem, Kathryn Gray did the invocation, Craig Ranker took pictures and Vice Chair Mohsin did the benediction. She noted that for the KB project, a grove of elms will be removed and new elms will be installed. The Council looked at different designs and chose concept D. One of the highlights was a bench made from the old elms.

Chair Ranker was concerned about graffiti in the park and Councilmember Polanski said she wasn't too concerned with graffiti since homes will be surrounding the park.

Councilmember Polanski noted that the new open government ordinance had a second reading last night, approved on a 3 to 2 vote with Mayor Esteves and Councilmember Polanski voting no. The ordinance will become in effect in 30 days. She also noted that the Council saw a schematic design of the library, which will take several years to build. Also, the NBO and Sign Ordinance were continued to the April 19th meeting because there might be a potential conflict of interest with Councilmember Giordano. The final ethics report from Dr. Shanks is scheduled for April 19th. On a 3 to 2 vote with Mayor Esteves and Councilmember Polanski voting no, the Council voted to eliminate the ethics evaluation panel.

Councilmember Polanski also noted that there have been complaints about people taking recyclables out of people's recycle bins and that is against the law. The police chief will increase their patrol. Also, she received a mailer from Max Nobida regarding the neighborhood watch program.

Vice Chair Mohsin asked how the parking would be designed for the new library. Councilmember Polanski replied that the Council approved an architect to design the parking garage which will be to the east of the library across the street from another parking garage for the medical clinic and will have 300 spaces.

Commissioner Pham asked how big is the library going to be. Councilmember Polanski replied 60,000 square feet.

Commissioner Pham asked when the library will be ready and Mr. Carrington replied about four years.

Vice Chair Mohsin asked what will happen if Measure A does not pass. Councilmember Polanski replied that 30 librarians would be fired and the hours would be reduced.

IX.
New Business

a. Presentation of 2004 CAC Service Certificates

Councilmember Polanski presented 2004 Commissioner service certificates to Chair Ranker, Vice Chair Mohsin and Commissioner Pham. She thanked them very much for their efforts as Commissioners.

b. Non-denominational invocations at City Council meetings

Staff updated the Commission on the survey results of the non-denominational invocation request at the City Council meetings. Commissioner Lind asked staff how many commissioners were polled. Mr. Carrington replied that staff polled about 150 people and received 36 responses.

Chair Ranker asked what type of report will staff be doing. Mr. Carrington replied that staff would include how many people responded, how they responded and what cities do and don't have invocations.

Commissioner Lind suggested that staff include how many -e-mails were sent out and what the percentage was.

Commissioner Pham commented that there were so many people that did not vote during the election so the Commission needs to respect those who voted and they should be honored.

Chair Ranker agreed with Commissioner Pham about voter turnouts

MOTION to send the report with the mathematical data to City Council.

M/S: Ranker, Mohsin

Ayes: 5

c. Support of Arbor Day Proclamation and Participating in Arbor Day event

Mr. Carrington gave a presentation on the Arbor Day event and asked the Commissioners if they were interested in participating in the Neighborhood Beautification booth.

Chair Ranker, Vice Chair Mohsin, Commissioner Pham and Commissioner Fang volunteered.

MOTION to endorse the attached Arbor Day proclamation and secure CAC participants in the Arbor Day and park clean up event.

M/S: Fang, Ranker

Ayes: 5

d. Subcommittee/Task Force Status Reports

The Commissioner reviewed the agenda item and had no updates for the Subcommittee Task Force items.

e. Ethics Evaluation Panel

Chair Ranker noted that he would like the Commissions input about making a recommendation to the Council regarding the repeal of the Ethics Evaluation Panel.

Commissioner Lind summarized that at last night's Council meeting, Vice Mayor Gomez put an addendum to abolish the ethics evaluation panel and felt that it did not meet the needs of the community. She recalled that Councilmember Giordano supported Vice Mayor's comments and was keeping an open mind. Also, Councilmember Livengood felt that the Evaluation Panel was being used politically and is against the Evaluation Panel.

Commissioner Lind stated that the Ethics Evaluation Panel came from the community because the City had problems communicating one on one and that the good part of the Panel is that the community is allowed to say what they want, get a resolution and move on.

Chair Ranker recalled that Mayor Esteves asked why the item was rushed on the agenda and that the Vice Mayor explained that the public would have a chance to review it in two weeks. Chair Ranker felt that two weeks was too close.

Commissioner Lind asked if the item would be on the consent calendar and Councilmember Polanski said that she would remove the item from the consent calendar for discussion.

Commissioner Pham recalled that the City Council approved the hiring of Dr. Shanks as an Ethics Consultant and should complete his job.

Chair Ranker recalled that Councilmember Livengood stated that at first, he was in favor of the report, but after seeing it in practice he changed his mind.

Commissioner Pham asked if the Council is abolishing the code of ethics. Commissioner Lind said No.

Chair Ranker noted in the Ethics Final Report, the lead Ethics Evaluator has more power to act independently with the Council where the two sides would get together privately, without going forward in a full hearing.

Councilmember Polanski stated that the Ethics evaluation Panel is a part of the ordinance and that the Council majority is requesting it to be removed. She noted that Dr. Riley's report is supposed to note what is working and what is not working and is supposed to report that in June. She explained that the Council has not received the Final report and at one of the ethics meetings, Councilmember Livengood stated that the Panel would be eliminated.

Commissioner Pham asked who is on the Ethics Evaluation Panel. Councilmember Polanski noted that the people that serve on the Panel live in different cities and are non-biased and were selected by the Council.

Vice Chair Mohsin asked if the Council approves of the existing Panel. Councilmember Polanski noted that the Council majority wants to do away with the Ethics Panel entirely.

Chair Ranker felt that the decision making is arbitrary and felt that the Panel is new and deserves time to work. He does agree that revisions and changes need to be made and that the community had wanted this. He recalled that surveys were done and there was a strong count for people that wanted some consequences or accountability for people that upheld or did not uphold the code. He is requesting that the Council give the Ethics Evaluation Panel an extended chance because the Panel is brand new and may not be completely aware of details. He also felt that it would take about two years for the Panel to get accustomed to the program.

After further discussion and several revisions, the Commission made the following recommendation to Council.

MOTION to respectfully request that the Council take no further action on the second reading to rescind Ordinance No. 265 removing chapter 40 of Title One, the "Ethics Evaluation Panel" from Milpitas Municipal code. The CAC requests this delay until the

Ethics Evaluation Final Report has been presented by Dr. Shanks and the annual Ethics Evaluation Panel Report by Dr. Riley has been reviewed by the Council at an agendaized meeting. The CAC respectfully requests that the reports be agendaized at their monthly meeting for their review and input before any decisions are made by Council. This request is made because the ethics project originated from the CAC and is part of the CAC's work plan.

M/S: Mohsin, Pham

Ayes: 5

X.
Adjournment

Chair Ranker adjourned the meeting at 8:30 p.m. to the May 4, 2005 meeting.

Respectfully submitted,

Veronica Rodriguez, Recording Secretary

CITY OF MILPITAS
COMMUNITY ADVISORY COMMISSION
MILPITAS CITY HALL COMMITTEE MEETING ROOM
APPROVED MINUTES
May 4, 2005

**I.
Call to Order
and Roll Call**

Chair Ranker called the meeting to order at 7:00 p.m. Present were Vice Chair Mohsin, Commissioner Pham and Lee
Alternates present were Commissioners Lind and Fang
Absent: Commissioners Abelardo, Cook, Iloreta, Luna, Pham and Queenan

**II.
Seating of
Alternates**

Alternates seated: Lind and Fang

**III.
Pledge of
Allegiance**

Chair Ranker led the Pledge of Allegiance.

**IV.
Approval of**

MOTION to approve the agenda as submitted.

M/S: Mohsin, Lind

Ayes: 5

**V.
Approval of
Minutes**

MOTION to approve the minutes as submitted.

M/S: Lind, Fang
Abstentions: Lee

Ayes: 4

**VI.
Announcements**

Chair Ranker announced that Nestor Luna's wife passed away. Staff agreed to mail a condolence card to Nestor's family on behalf of the CAC.

Staff announced that there will be a home preparedness workshop for community-based organizations on Tuesday May 24, 2005. The contact is George Washburn at 408-247-1126. Also the Fourth of July parade will be coming and national night out in August.

Vice Chair Mohsin announced that Reverend Emphram Garza attended the last Sunnyhills neighborhood breakfast and on May 5th, there will be a Mexican cultural dance at On the Borders restaurant at the McCarthy ranch presented by Ballet Folklorica from 5:00 to 9:00 p.m. Also, there will be a Filipino cultural dance party on June 4th at the Milpitas community center from 3:00 to 7:00 p.m.

**VII.
Citizens' Forum**

Chair Ranker invited members of the audience to address the Commission on any item not on the agenda.

There were no speakers from the audience.

**VIII.
Liaison Reports**

a. City Council

Councilmember Polanski announced that the Council approved the recommendation from the CAC for the CDBG funding with no changes. The ethics panel ordinance was dissolved at the last meeting and the final report was continued to the May 17th meeting.

The Council received the CAC invocation report and there were six people from the Telecom Commission that said no to the invocation, however it passed. The Open Government Ordinance was approved and will go into effect. Council is seeking commissioners to apply for the Open Government Ordinance Commission and applications will be open to May 20th. There was also a supplemental agenda and on a three to two vote, the Council voted to add to a part of the council handbook that a person must be a resident of the City or live in the hillside to be part of the Commission. The NBO and Sign Ordinance will be coming at a future date because Councilmember Giordano is waiting for a ruling from the FPPC. Councilmember Polanski informed that that the Hetch Hetchy district will be raising water rates to double digits and the increase could possibly go to \$3.50 next year. Also, sewer rates will go up every two months at a dollar with fixed fees going up to 8 percent.

IX. New Business

a. Presentation of 2004 CAC Service Certificates

Councilmember Polanski presented 2004 Commissioner service certificates to Commissioners Lind, Lee and Fang and thanked them very much for their efforts as Commissioners.

b. Subcommittee/Task Force Status Reports

Vice Chair Mohsin noted that there has not been a meeting in regards to Neighborhood Preservation so there is no status report.

Chair Ranker noted that Dr. Shanks Final Ethics Report will be reviewed at the May 17th City Council meeting.

c. 2005 CAC Work Plan Progress

1. Neighborhood Night Out and Watch

Staff presented the Neighborhood Night Out and Watch item and asked whether the CAC will continue hosting these August events and suggested that the City's Neighborhood Night out be held on Thursday, August 4th instead of Tuesday, August 2nd, which is a Council night.

Chair Ranker asked who is taking the lead on the Neighborhood Night Out program and whether the CAC will host it this year. Mr. Carrington suggested that the CAC form a subcommittee to help out with national night out.

Chair Ranker and Chris Lee volunteered to be on the subcommittee for National Night Out.

MOTION to recommend that the Milpitas Neighborhood Night Out and Watch be held on Thursday, August 4th.

M/S: Lind, Lee

Ayes: 5

2. Town Hall Meeting

Staff noted that the town hall meeting was combined with the Post Election Assessment meeting last year and asked if the CAC will continue hosting this event this October and whether a different forum would be better. Staff informed that the CAC has hosted a town hall meeting for three years prior to last year.

Chair Ranker liked the format of last year's town hall meeting where callers were able to call in.

Commissioner Lind felt that she doesn't see a need to have a town hall meeting this year since there are no pressing issues and there is a lot of cost and staff time involved.

Vice Chair Mohsin agreed with Commissioner Lind and noted that last year, there was a town hall meeting because of the election and this year, he sees no participation from citizens. He suggests canceling the town hall this year and have it during election time.

Chair Ranker suggested having a town hall meeting every election year.

Commissioner Lind suggested that the commission liaisons talk to their fellow commissioners and find out if there are any pressing issues to talk about and if so, the community advisory commission is available.

MOTION that the Town Hall meeting will be every two years, specifically election year and that outreach will be made to other commissions that the CAC is available to discuss pressing issues.

M/S: Mohsin, Lind

Ayes: 5

3. Associations Meeting

Staff noted that the Associations meeting was developed as an outreach program to neighborhood associations to obtain feedback on community issues and asked if the CAC would like to form a subcommittee to develop options.

Commissioner Lind recalled that that Commissioner Queenan had gone door to door inviting his neighbors to discuss important issues. She suggested that residents bring up issues of concern at the Neighborhood Night out and that staff coordinate this with Max Nobida. She suggested that a suggestion box be used for people to write down their concerns and that an agenda be forwarded to Max.

Commissioner Lee suggested a sign-in sheet and a nice suggestion card that states that the CAC is compiling comments to the City to better our life and will need work items for next year's town hall meeting.

Vice Chair Mohsin recommended that the CAC say on the box that the CAC wants to better serve the residents.

Chair Ranker asked that this item be continued to the June 1st meeting because he would like Commissioner Queenan to head up the subcommittee.

Staff volunteered to draft wording for the suggestion box and would work directly with the Chair and bring the information to the next meeting.

MOTION to continue the Associations Meeting item to the June 1, 2005 meeting.

M/S: Mohsin, Lind

Ayes: 5

4. Thank You Activity/Recognition for City Staff (long term goal/project)

Staff noted that this event has been cancelled for budgetary reasons.

5. Participation in City's July 4th parade

Staff noted that July 4th falls on Monday this year and the parade will be held on Main Street. Staff asked the CAC what their level of participation will be.

Chair Ranker noted that would be interested in participating.

Vice Chair Mohsin noted that he would be interested in participating.

Chair Ranker suggested that this item be continued to the June 1st meeting to see if other Commissioner would volunteer.

MOTION that Chair Ranker and Vice Chair Mohsin will be participating in the July 4th event and to continue this item to the next agenda to look for commissioners to participate.

M/S: Ranker, Mohsin

Ayes: 5

6. Heritage tree nominations

Staff informed that the task has been completed and it will come back before the CAC when the Heritage Tree Ordinance is adopted.

7. Neighborhood Beautification Awards

Staff explained that the NBO process will be the same as last year – a subcommittee will need to be established in September, a tour will be held in September and the item will be agendized in October. Staff asked how the CAC will participate in the program this year.

Vice Chair Mohsin explained that part of the process is that staff invites the citizens to submit what they have done for their homes and before the notifications were sent out, three CAC commissioners voted afterwards. He suggested that it would be nice if the NBO subcommittee would be able to independently put people on the group even if no one else nominated them.

After further discussion, staff noted that he would invite Zulema Maggi to the June 1st meeting to discuss the NBO process in further detail and then a subcommittee could be formed then.

Councilmember Polanski suggested adding a category that the CAC could nominate a beautiful home.

Commissioner Lind said she was surprised to see that someone can nominate himself or herself for an award. .

MOTION to continue this item to the June 1st meeting.

M/S: Ranker, Mohsin

Ayes: 5

8. Review City Calendar format.

Staff noted that the CAC will only be reviewing the format of the City Calendar this year. Work on the City Calendar is typically begun in February and completed by late October. Final proofing takes place between August and September. Staff asked how will the CAC participate in the City Calendar formatting process.

Vice Chair Mohsin felt it is important to review the format for the calendar because last year, staff printed the wrong Planning Commission dates.

Commissioner Lind recalled that staff came last year and the CAC was allowed to pick out a theme for the calendar.

Chair Ranker agreed that he would like to look at the format.

Councilmember Polanski informed that she was on the subcommittee for the city calendar for several years and the CAC would pick the theme and staff would go and gather the pictures and work with selected pictures and then the subcommittee would proof the calendar. She enjoyed it very much however the CAC is no longer involved in the process. She suggested that staff take this off the work plan or that the CAC request that it comes back to help out with the 2007 calendar.

Staff suggested that Samu Tiimalu come to the June 1st meeting to show the CAC the format for the 2006 calendar and get input as far as formatting is concerned and then to possibility form a subcommittee to work with him on the 2007 calendar.
MOTION to continue this item to the June 1st meeting and to receive a report from Samu Tiimalu.

M/S: Ranker, Mohsin

Ayes: 5

X.
Adjournment

Chair Ranker adjourned the meeting at 8:25 p.m. to the June 1, 2005 meeting.

Respectfully submitted,

Veronica Rodriguez, Recording Secretary

CITY OF MILPITAS
COMMUNITY ADVISORY COMMISSION
MILPITAS CITY HALL COMMITTEE MEETING ROOM
APPROVED MINUTES
June 1, 2005

**I.
Call to Order
and Roll Call**

Chair Ranker called the meeting to order at 7:00 p.m. Present were Commissioners Abelardo, Lee, Lind, and Mohsin
Alternates present were Commissioners Fang, Queenan, and Villegas
Absent: Commissioners Cook, Iloreta, Luna, and Pham

**II.
Seating of
Alternates**

Alternates seated: Fang, Queenan, and Villegas

**III.
Pledge of
Allegiance**

Commissioner Abelardo led the Pledge of Allegiance.

**IV.
Approval of
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Lind, Mohsin

Ayes: 8

**V.
Approval of
Minutes**

MOTION to approve the minutes of May 4, 2005.

M/S: Mohsin, Abelardo

Ayes: 8

**VI.
Announcements**

Staff announced that there will not be a July CAC meeting.

**VII.
Citizens' Forum**

Chair Ranker invited members of the audience to address the Commission on any item not on the agenda.

Mayor Esteves thanked the Commission for their hard work and for being a very active Commission. He announced the Commissioners that moved up (Commissioner Lind, Queenan, and Fang). He welcomed the new Alternate 3 and 4 Commissioners Villegas and Choudhury.

Commissioner Abelardo congratulated the staff in charge of Beautification and Preservation. He started renovating his lawn, and while waiting for those items, he neglected the front phase of his lawn, and received a citation, which means the City is doing its job, congratulations to staff at City Hall.

**VIII.
Liaison Reports**

a. City Council

Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. She stated that she was glad the mayor mentioned the appointments, and pleased that the mayor's appointments were accepted by the City Council. Next Tuesday, June 7th at the City Council meeting, the Council will be doing the final budget, interesting presentations relative to salary and benefits. Fire Chief Weisgerber retired on Friday, May 27th with a very nice retirement party held on Sunday evening. There is a new City Clerk, Mary Lavelle, who started on May 24th. The City Council did a note; receipt and file from the final ethics report and the City Council did not accept the CAC recommendations. The Memorial day celebration on May 30th was well done with a 21-gun salute. The Milpitas Veterans Club was honored.

IX.

New Business

a. Subcommittee/Task Force Status Reports

Neighborhood Preservation (Lee, Luna, Mohsin, and Queenan)

Vice-Chair Mohsin stated the subcommittee couldn't meet last month will follow up soon. They will contact the City staff to set up a meeting with BFI to move forward.

Ethics (Abelardo, Lind, and Ranker)

Chair Ranker stated that there is no longer an ethics subcommittee. He asked if the final report from the ethics panel been submitted. Councilmember Polanski stated that the panel did meet to brainstorm and it is still in progress. Chair Ranker asked if there was still an outstanding issue. Councilmember Polanski stated that at the last Council meeting four members were present, two of the four, saw no need to have the final ethics report because it was a waste of time and money because the Council eliminated the ethics panel.

National Night Out (Lee)

Commissioner Lee stated that the event would be on Thursday, August 4, 2005. This year Target is a sponsor. Commissioner Queenan asked if the Fire Department would be participating. Commissioner Lee said yes it would be coordinated through Sergeant Max Nobida. Chair Ranker asked if food was provided at the last event. Commissioner Lee stated that it was a potluck. There will be suggestion cards for residents to fill out. Commissioner Lind stated from the last meeting the CAC would contact Max to include the suggestion cards in the packet. Chair Ranker asked Commissioner Lee if he was the only member on this subcommittee. Commissioner Queenan volunteered to be on the National Night Out subcommittee.

XI.

Old Business

a. 2005 CAC Work Plan Progress.

1. Associations Meeting.

Staff stated that in the past it has been written up for an outreach meeting, getting input for topics could be put on a town hall meeting agenda. Last month the CAC decided to only hold town hall meetings during election year. Staff is asking that the CAC design an outreach program to neighborhoods. Commissioner Lind suggested contacting other Commissioners, and asking the liaisons to make an announcement to their Commission. Vice-Chair Mohsin stated that he once attended an HOA meeting and it was a really organized effort.

2. Participation in City's July 4th parade.

In past years, the CAC participated in the parade as either a vehicle or walking entry. The CAC has a banner identifying who they are. Staff is recommending the CAC

establish a subcommittee to manage the process and any purchases or rentals. Commissioner Lind asked if there was a budget. Staff stated it was a very small budget. Commissioner Mohsin stated that last year they had placards that were given out. Councilmember Polanski stated it would be a good idea to pass out comment cards at the parade stating if you have a concern about the quality of life in Milpitas. She also stated to promote the Neighborhood Night Out and Neighborhood Beautification. The CAC decided to participate in the parade with Chair Ranker, Vice-Chair Mohsin, Commissioners Abelardo and Villegas volunteering. Staff will contact the Commissioners not at tonight's meeting to see if they would like to participate.

3. Neighborhood Beautification Awards.

Zulema Maggi, Housing and Neighborhood Preservation Specialist, gave a presentation on the NBO process and asked the CAC to form a subcommittee for this year's participation in the process. Commissioner Queenan asked staff what kind of prize is given. Staff stated in the past, it has been a \$100 dollar gift certificate from Home Depot it depends on the budget. Staff stated that if a nomination is not received for a category, staff would nominate a home to fit all categories. Commissioner Lind stated that from their discussion last month, the CAC would look within their own neighborhoods for nominations. Staff stated that the current requirements do not exclude nominations from CAC members. Commissioner Lind asked how the Awards program is being advertised. Staff stated that it is advertised in the Milpitas Post, Cable, City Newsletter, and City events. Staff stated that 3 Commissioners are needed this year for the subcommittee. They are Vice-Chair Mohsin, Commissioners Abelardo and Queenan.

4. Review City Calendar Format.

Staff stated at the last meeting, the CAC requested a presentation from Samu Tiumalu, Recreation, on the City calendar format. Per Mr. Tiumalu, this item will be going forward to the City Council on June 10th, the calendar could be in a very different format, could be handled by some firm. Councilmember Polanski stated that at the June 7th Council meeting, part of the budget, and the recommendation from the Recreation Department was to dissolve the calendar and possibly find a way to provide dates to the Post, and work with them and also to work with the Chamber of Commerce. It is very possible the budget for the City calendar will be eliminated so there will be no City calendar.

XII.

Adjournment

Chair Ranker adjourned the meeting at 8:30 p.m. to the August 3, 2005 meeting.

Respectfully submitted,

Yvonne Andrade, Recording Secretary

CITY OF MILPITAS
COMMUNITY ADVISORY COMMISSION
MILPITAS CITY HALL COMMITTEE MEETING ROOM
APPROVED MINUTES
August 3, 2005

**I.
Call to Order
and Roll Call**

Vice-Chair Mohsin called the meeting to order at 7:05 p.m. Present were Commissioners Lee, Lind, and Pham
Alternates present were Commissioners Fang, Queenan, Villegas, and Choudhury
Absent: Commissioners Abelardo, Cook, Iloreta, Luna, and Ranker

**II.
Seating of
Alternates**

Alternates seated: Fang, Queenan, Villegas, and Choudhury

**III.
Pledge of
Allegiance**

Commissioner Lee led the Pledge of Allegiance.

**IV.
Approval of
Agenda**

MOTION to approve the Agenda as submitted with the following addition: "Each person wishing to speak on an item before the CAC at a regular or special meeting shall be permitted to be heard once for a maximum of three minutes".

M/S: Lind, Fang

Ayes: 8

**V.
Approval of
Minutes**

MOTION to approve the minutes of June 1, 2005 with the correction on Page 2 under Associations Meeting to read: The Commission had a brainstorming session to reach out to associations for suggestions for the work plan.

M/S: Lind, Fang

Ayes: 8

**VI.
Announcements**

Staff announced the National Night Out on Thursday, August 04, 2005. Vice-Chair Mohsin stated that the CAC participated in the July 4th parade.

**VII.
Citizens' Forum**

Vice-Chair Mohsin invited members of the audience to address the Commission on any item not on the agenda. There were no requests.

**VIII.
Liaison Reports**

a. City Council

Councilmember Polanski was not present at tonight's meeting.

IX.
New Business

a. Subcommittee/Task Force Status Reports

Neighborhood Preservation (Lee, Luna, Mohsin, and Queenan)
There was no update.

National Night Out (Lee and Queenan)
Commissioner Queenan distributed copies of the feedback letter from the Police Department that will go out to the community during this event.

Commissioner Lee stated that he received feedback from his neighborhood with their concerns.

b. Sign Ordinance Update.

Staff stated that the ordinance was adopted by City Council on August 2, 2005. The ordinance goes into effect on September 1, 2005. As far as enforcement goes, letters will be written and there will be no fines issued. Commissioner Lind asked if the Council explained why they made this decision. Staff stated these are hard economic times and we shouldn't burden our business community. Commissioner Queenan asked if this decision would affect the NBO process. Staff stated no it will not. Staff stated that the City could fine for NBO and zoning violations but not Sign violations. Staff will be attending several meetings with different organizations to go over the requirements of the sign ordinance. Hopefully, once informed, the community will comply with the ordinance. Commissioner Queenan asked how staff is going to communicate with the different nationalities in the community. Staff stated that they would do some brainstorming on how to tackle this situation. Commissioner Lind suggested having students from Milpitas High School interpret as a way of community service. Commissioner Queenan suggested having the Youth Advisory take this on as a project.

X.
Adjournment

Vice-Chair Mohsin adjourned the meeting at 8:30 p.m. to the September 7, 2005 meeting.

Respectfully submitted,

Yvonne Andrade, Recording Secretary

CITY OF MILPITAS
COMMUNITY ADVISORY COMMISSION
MILPITAS CITY HALL COMMITTEE MEETING ROOM
APPROVED MINUTES
September 7, 2005

**I.
Call to Order
and Roll Call**

Chair Ranker called the meeting to order at 7:00 p.m. Present were Commissioners Abelardo Lee, Lind, Luna, and Mohsin
Alternates present were Commissioners Fang, Queenan, Villegas, and Choudhury
Absent: Commissioners Cook, Iloreta, and Pham

**II.
Seating of
Alternates**

Alternates seated: Fang, Queenan, Villegas, and Choudhury

**III.
Pledge of
Allegiance**

Chair Ranker led the Pledge of Allegiance.

**IV.
Approval of
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Mohsin, Lee

Ayes: 8

**V.
Approval of
Minutes**

MOTION to approve the minutes of August 3, 2005

M/S: Lind, Luna

Ayes: 8

**VI.
Announcements**

Staff announced that Commissioner Iloreta submitted his resignation to the Mayor; he enjoyed working with the CAC. Chair Ranker stated that Commissioner Iloreta had been with the CAC for over 10 years.

**VII.
Citizens' Forum**

Chair Ranker invited members of the audience to address the Commission on any item not on the agenda. There were no requests.

**VIII.
Liaison Reports**

a. City Council

Staff stated that the City Council established the CIP program for the transit area specific plan and that the project is funded. The project will take approximately 14 months. Staff announced the new Planning and Neighborhood Services Director, Tom Williams. Tambri Heyden went to the City of San Bruno.

IX. Public Hearing

a. Review of Community Development Block Grant (CDBG) Funding Priorities for FY 2006-2008.

Gloria Anaya, Sr. Housing and Neighborhood Preservation Specialist gave a presentation on this item. She stated the last time funding priorities were adopted by City Council was October 21, 2003. The next CDBG funding cycle will be in February 2006. In accordance with HUD guidelines, the City of Milpitas has used its CDBG funding allocation for Public Services and Non-Public Services. During the next fiscal years 2006-2008, the City of Milpitas would anticipate receiving \$670,000 annually in CDBG funds. Since October 2003, the following priorities have been established:

Public Service

1. Senior Services
2. Youth Teen Services
3. Homeless Sheltering / Services
4. Child Care
5. Battered Women Sheltering / Services

Non-Public Service

1. Home Repair / Rehabilitation
2. Affordable Housing
3. Rental Apartment Rehabilitation

During the last CDBG funding cycle, FY 2005-06 the following issues arose

1. The City's Recreation Assistance Program received less funding than the previous year due to HUD's reduced funding. At the April 19, 2005, CDBG funding allocation public hearing, the City Council expressed a desire to maintain a permanent CDBG funding source for City programs.
2. Recently it has been brought to staff's attention by Project Sentinel, the City's Fair Housing provider, that Milpitas provides the least amount of funds to support Fair Housing and Tenant/Landlord activities. Several cities in Santa Clara County provide funding for Fair Housing Services from a portion of their Redevelopment Agency 20% Low-Income Housing Set-Aside Funds.

For the past 6 years, we have funded Fair Housing Activities out of the 20% CDBG Program Administration at a level of \$15,000. According to a survey, at \$15,000, the City of Milpitas provides the least funding for Fair Housing activities in Santa Clara County. The next smallest allocation is the City of Gilroy at \$40,000.

To address the above concerns, staff recommends the following two changes to the CDBG policies:

- To annually reserve 25% of the Public Services funding be allocated to City Programs & services only. This would ensure that City Programs are funded accordingly and also reduce General Fund expenditures. Anaya added that the public services cap is 15% of the total grant, so for example; if the City's total grant is \$670,000, 15% is \$100,500, and reserving 25 % of those funds for City Programs would be \$25,125.
- To address the second concern with Project Sentinel, staff recommends that in addition to the \$15,000, an annual allocation of \$10,000 from the Redevelopment Agency 20% Low-Income Housing Set-Aside Fund be used to

fund Fair Housing and Tenant/Landlord services. This would increase funding from \$15,000 to \$25,000

Staff recommends that the Commission open the public hearing, take public testimony, close the public hearing, and recommend that the City Council maintain the current established funding priorities for FY 2006-2008 with two policy changes: 1) annually reserve 25% of public services money to fund City programs only and 2) recommend City Council/Redevelopment Agency authorize the use of \$10,000 annually to fund Fair Housing/Tenant Landlord activities.

Commissioner Queenan asked if funds would decrease. Staff stated that it is possible as CDBG allocations to Cities change annually based on available HUD funds. Ms. Anaya stated that funding Project Sentinel at \$15,000 for the past several years has not impacted the 15% cap; as Fair Housing/Tenant Landlord services have been funded out of the 20% CDBG Program Administration fund. So as long as we can continue to fund these services from the General Program Admin, we will still free up the full 15% of Public Services monies to fund other agencies.

Chair Ranker asked about the annual RDA allocation of \$10,000, if it brings it up \$25,000 is that adequate. Ms. Anaya stated that cities have different needs, increasing the allocation to a more equitable amount will result in the agency been able to increase the level of services that is provided to our residents and to the City of Milpitas.

Craig Ranker opened the public hearing.

Martin Eichner, Project Sentinel Director of Mediation and Counseling Program, 1055 Sunnyvale-Saratoga Rd. – Emphasized that Gilroy allocated \$49,000 this year as part of their recognition. Project Sentinel is proposing to provide Milpitas a higher level of service and supportive services in recognition of the City's efforts to fund their program more completely. They are offering to do more work, more cases, participate in the Fair Housing Task Force, and offer workshops for Milpitas residents.

Jeanna Cardinale, Grants Coordinator, Second Harvest Food Bank, 750 Curtner Ave. – She thanked the Commission for their support for Operation Brown Bag, which serves Milpitas' low-income seniors. Once a week, seniors receive a bag of groceries. In doing this it helps the seniors off set their living costs of medical bills, housing related costs. This also provides a socialization opportunity and volunteer opportunity. They also receive a quarterly newsletter related to seniors. The program serves 340 households in Milpitas.

Dale Flunoy, Youth Development Coordinator, City of Milpitas – He stated he is happy with staff's recommendation to set aside 25% for the recreation programs. All three-recreation programs run out of money by the 3rd quarter. Chair Ranker asked if their allocated funds for this year would carry them to the fourth quarter. Mr. Flunoy stated that the money would take them pretty close to the end of the fiscal year in June.

MOTION to close the public hearing.

M/S: Lind, Lee

Ayes: 8

MOTION to approve staff's recommendations.

M/S: Lind, Queenan

Ayes: 8

**X.
New Business**

a. Subcommittee/Task Force Status Reports.

Neighborhood Preservation (Lee, Mohsin, Queenan, and Luna)

Commissioner Queenan stated that this item could be tied together with the National Night Out.

National Night Out (Lee and Queenan)

Commissioner Queenan stated that there was feedback from the community that the Police Department has. Commissioner Lee stated that around 30 people showed up at the event that he held in his neighborhood. There was home and safety literature that was given out in his area.

b. Status of Heritage Tree Ordinance.

This item has been moved to the October 5, 2005 CAC meeting.

c. Status of Phillip Cook.

Staff stated that it has been nine (9) months since Commissioner Cook attended a CAC meeting. Staff contacted Mrs. Cook, who stated that Mr. Cook is ill and cannot attend, she didn't want him to be "thrown off the CAC", hoping he could have an emeritus position on the CAC. Staff also spoke to Councilmember Polanski, who stated that there is no emeritus position on any Commission, so he would have to resign or have the City Council take action. Staff recommends that the CAC recommend to the City Council to take appropriate action pursuant to the CAC bylaws, the Mayor could remove Mr. Cook and make the position for an alternate member.

Chair Ranker stated that Commissioner Cook has been a member of the CAC for a very long time, but that there are many people willing to fill the duties and capacities of member of the CAC. He feels we need to move forward. He is recommending forwarding this item to the City Council for appropriate action.

**XI.
Adjournment**

Chair Ranker adjourned the meeting at 8:20 p.m. to the October 5, 2005 meeting.

Respectfully submitted,

Veronica Rodriguez, Recording Secretary

CITY OF MILPITAS
COMMUNITY ADVISORY COMMISSION
MILPITAS CITY HALL COMMITTEE MEETING ROOM
APPROVED MINUTES
October 5, 2005

**I.
Call to Order
and Roll Call**

Chair Ranker called the meeting to order at 7:00 p.m. Present were Commissioners Lee, Luna, Mohsin and Pham
Alternates present were Commissioners Fang, Queenan, and Villegas
Absent: Commissioners Abelardo, Choudhury, and Lind

**II.
Seating of
Alternates**

Alternates seated: Fang, Queenan, and Villegas

**III.
Pledge of
Allegiance**

Commissioner Queenan led the Pledge of Allegiance.

**IV.
Approval of
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Mohsin, Luna

Ayes: 8

**V.
Approval of
Minutes**

MOTION to approve the minutes of September 7, 2005.

M/S: Mohsin, Fang

Ayes: 8

**VI.
Announcements**

Councilmember Polanski announced that the City Council accepted the recommendation of the CAC to remove Commissioner Cook based on his attendance in the bylaws and also accepted the resignation of Commissioner Iloreta. The Council also appointed Commissioner Fang to a regular voting member on the CAC. Commissioner Queenan was appointed to Alternate 1, Commissioner Villegas was appointed to Alternate 2, and Commissioner Choudhury was appointed to Alternate 3.

**VII.
Citizens' Forum**

Chair Ranker invited members of the audience to address the Commission on any item not on the agenda. There were no requests.

**VIII.
Liaison Reports**

a. City Council

Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. The Council approved the CDBG recommendation of 25% to Recreation Services and allocated \$10,000 annually out of the RDA 20% set aside for Project Sentinel. The Odor Control Action Plan update was discussed at the meeting; in the month of September there were only 7 complaints. It

appears some of the problems have been lifted. The Council is still working on trying to assist in a new location for the Farmers Market.

IX. New Business

a. Neighborhood Beautification Appreciation – 2005 Annual Awards Program.

Staff presented a PowerPoint presentation on the Neighborhood Beautification Awards for 2005. Staff received 13 nominations by the deadline of August 31, 2005. Staff nominated one staff choice award and 3 properties to ensure all categories were represented for a total of 17 nominations. The subcommittee toured the sites on September 19, 2005 and made their selections. The winners will receive a \$100.00 gift certificate from Home Depot and declaration. In addition, all nominees will receive a certificate of appreciation. The results will be posted on the City's website, Cable TV and in the Milpitas Post. The awards will be distributed by the City Council at their November 15, 2005 meeting with a break for refreshments and a celebration.

Vice-Chair Mohsin suggested getting more advertisement done next year. Commissioner Pham suggested putting flyers on businesses to advertise.

Chair Ranker asked how the selection process is done. Staff stated that the subcommittee does the selection.

MOTION to approve the subcommittee and staff's NBO 2005 award recommendations.

M/S: Pham, Mohsin

Ayes: 8

b. Subcommittee/Task Force Status Reports.

Neighborhood Preservation (Lee, Mohsin, Queenan, and Luna)

Commissioner Queenan handed out a letter that was given out at the National Night-Out. Commissioner Queenan suggested distributing this letter to other Commissions to solicit feedback to the CAC.

Chair Ranker asked staff if this item could be put on a future agenda. Staff stated that the Commission could make a motion to put this item on the agenda for a future date.

MOTION to put this item on the agenda for review and discussion at the November 2, 2005 meeting.

M/S: Queenan, Lee

Ayes: 8

c. Heritage Tree Ordinance.

Carol Randisi, Trees and Landscape Senior Supervisor, gave a presentation on the Heritage Tree Program. She has prepared amendments to the City of Milpitas Tree and Planting Ordinance to include the Heritage Tree Program. She stated the amendments would incorporate a new Heritage Tree Program into the existing Tree and Planting chapter of the Milpitas Municipal Code. The program would increase public awareness of the important contributions of trees to the residents of Milpitas. The program would recognize and protect individual trees or grove of trees.

Staff stated any person with the written consent of the property owner may request a heritage tree designation. To nominate a tree, a heritage tree nomination form must be completed and submitted to the Public Works Department along with a site map of the tree location, picture of the tree, and documentation of protective measures. Nominations are reviewed by the CAC in January, May and October of each year. Trees recommended for heritage tree status will be forwarded to the City Council for

designation. After City Council approves a heritage tree designation, the City Clerk will notify the property owner in writing.

Chair Ranker asked staff what the advantage is to the property owner by agreeing to the nomination. Staff stated that the homeowner would get recognition and the City would provide advise on terms of how to protect and nurture the tree. Most of the trees are in commercial or industrial areas.

Commissioner Villegas asked how are the trees identified. Staff stated that there would be a file on the website to identify these trees. This has not been built into the program yet. Commissioner Villegas also asked if the trees that the City maintains included in this program. Staff stated they are not only trees on private property.

Commissioner Fang asked how does the City decide to remove a tree. Staff stated the City's arborist goes to the property to inspect and asks the property owner why they wish to remove the tree.

Vice-Chair Mohsin asked if the ordinance is on the website. Staff stated that the original copy is on the web.

Chair Ranker asked staff how to proceed and bring this item back to the CAC for review. Councilmember Polanski suggested that the Commission go forward with the recommendation to City Council and then add this item to the CAC Work Plan as an educational process.

MOTION to recommend that the City Council amend the City of Milpitas Tree and Planting Ordinance to include the Heritage Tree Program as shown in the staff report.

M/S: Mohsin, Ranker

Ayes: 8

**X.
Adjournment**

Chair Ranker adjourned the meeting at 8:26 p.m. to the November 2, 2005 meeting.

Respectfully submitted,

Yvonne Andrade, Recording Secretary

CITY OF MILPITAS
COMMUNITY ADVISORY COMMISSION
MILPITAS CITY HALL COMMITTEE MEETING ROOM
APPROVED MINUTES
November 2, 2005

**I.
Call to Order
and Roll Call**

Chair Ranker called the meeting to order at 7:00 p.m. Present were Commissioners Fang, Lee, Lind, Luna, Mohsin, Pham, and Queenan
Alternates present were Commissioners Villegas, Choudhury, and Wan (7:10 pm)
Absent: Commissioner Abelardo

**II.
Seating of
Alternates**

Alternate seated: Villegas

**III.
Pledge of
Allegiance**

Commissioner Pham led the Pledge of Allegiance.

**IV.
Approval of
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Mohsin, Fang

Ayes: 9

**V.
Approval of
Minutes**

MOTION to approve the minutes of October 5, 2005.

M/S: Luna, Mohsin

Ayes: 8

Abstain: 1 (Lind)

**VI.
Announcements**

Staff announced the reappointments of Commissioner Fang and Queenan to regular members. Commissioner Villegas to Alternate 1 and Commissioner Choudhury to Alternate 2. Commissioner Wan was appointed to Alternate 3. The City Council introduced the Heritage Tree Program that will go back to Council for the 2nd reading and will be part of the tree and planting section of the Municipal code.

**VII.
Citizens' Forum**

Chair Ranker invited members of the audience to address the Commission on any item not on the agenda. There were no requests.

**VIII.
Liaison Reports**

a. City Council

Councilmember Polanski was not present at the meeting.

IX.
New Business

a. Subcommittee/Task Force Status Reports.

Neighborhood Preservation (Lee, Mohsin, Queenan, and Luna)
Commissioner Lee stated that he attended the Make a Difference Day on October 22, 2005 at Curtner Elementary School. They did some clean up of the elementary school and planted about 9 trees donated by BFI who also sponsored the event.

b. Tree Decorating.

Staff requested confirmation that the CAC would like a tree for the 2005 Tree Lighting Ceremony. The Commission confirmed that they would be interested in decorating a tree again this year. The volunteers are Chair Ranker, Commissioners Luna and Pham.

c. CAC Community Outreach Form.

Commissioner Queenan described the Community Outreach Form and requested that members of the CAC review it and determine if it was acceptable to the Commission for distribution. The goal is to inform the public of the CAC and voice their concerns.

Chair Ranker asked how this form would be distributed. Commissioner Queenan stated that the form would be available on the City's website and at all City facilities. Chair Ranker also asked staff how the Commission would proceed with this item. Staff stated that once the language is finalized staff would email the form to the CAC and they could printout and distribute the form to the locations they wish. Staff would distribute the form to the Library and City Hall lobby and place it on the City's website. Vice-Chair Mohsin suggested the form be given to all the other Commission Liaisons for distribution at their meetings. Commissioner Queenan also suggested using the form as a mailer.

MOTION to direct staff to proceed with the outreach letter and form to be distributed to all other Commission Liaisons and to distribute the form at the Library, the City Hall lobby and the City's website.

M/S: Queenan/Pham

Ayes: 9

Commissioner Lind requested that the December 7, 2005 CAC meeting be cancelled.

MOTION to cancel the December 7, 2005 CAC meeting.

M/S: Lind, Luna

Ayes: 9

X.
Adjournment

Chair Ranker adjourned the meeting at 7:45 p.m. to the January 4, 2006 meeting.

Respectfully submitted,

Yvonne Andrade, Recording Secretary